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Atty. Docket No. CRP-070FWCN2
(2054/39)
09/25/97
65705 U.S. PTO
08/937756

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Rueger, et al.
SERIAL NO.: -----
FILED: Herewith
TITLE: Morphogen-Induced Nerve Regeneration and Repair
GROUP NO.: 1812
(Prior Application)
EXAMINER: R. Hayes
(Prior Application)

CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. 1.10

I hereby certify that the attached document is being deposited with the United States Postal Service, postage prepaid, on September 25, 1997 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service, mailing label number EM354411625US, in an envelope addressed to: ATTN: BOX PATENT APPLICATION, Assistant Commissioner for Patents, Washington, DC 20231.

Brenda L. MacLean
Brenda L. MacLean

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

TRANSMITTAL OF FILING UNDER 37 CFR 1.60(b)

This is a request for filing a Continuation of application under 37 CFR 1.60, of pending prior application serial no. 08/260,675 filed on June 16, 1997 of Rueger, et al., for Morphogen-Induced Nerve Regeneration and Repair.

1. Copy of Prior Application as Filed Which is Attached

- ☒ I hereby verify that the attached papers are a true copy of what is shown in my records to be the above identified prior application, including the oath or declaration originally filed (37 CFR 1.60).

The copy of the papers of prior application as filed which are attached are as follows:

147 page(s) of specification11 page(s) of claims1 page(s) of abstract5 sheet(s) of drawing**2. Amendments**

- ☒ Cancel in this application original claims 2-81 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered **original** claim in the prior application.)

3. Fee Calculation (37 CFR 1.16)

CLAIMS AS FILED					
	Number Filed	Number Extra		Rate	Basic Fee 37 CFR 1.16(a) \$770.00
Total Claims (37 CFR 1.16 (c))	57	- 20 = 37	X	\$ 22.00	\$ 814.00
Independent Claims (37 CFR 1.16 (b))	18	- 3 = 15	X	\$ 80.00	\$ 1200.00
Multiple Dependent Claim(s), If any (37 CFR 1.16(d))	Yes		+	\$ 260.00	\$ 260.00

- ☐ Fee for extra claims is not being paid at this time. (37 CFR 1.16(d))

Filing Fee Calculation \$ 3,044.00**4. Small Entity Status**

- ☒ A verified statement that this filing is by a small entity:
- ☐ is attached
- ☒ has been filed in the parent application and such status is still proper and desired (37 CFR 1.28(a))

Filing Fee Calculation (50% of above) \$ 1,522.00

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5. Drawings

☐ Transfer the drawings from the prior application to this application and, subject to item 17 below, abandon said prior application as of the filing date accorded this application.

☒ Drawings are enclosed

☐ formal

☒ informal

6. Assignment

☒ The prior application is assigned of record to Creative BioMolecules, Inc. at Reel No. 6531 and Frame No. 0897.

☐ an assignment of the invention to -----

☐ is attached.

A separate "ASSIGNMENT COVER LETTER ACCOMPANYING NEW PATENT APPLICATION" is also attached.

NOTE: "If an assignment is submitted with a new application, send two separate letters - one for the application and one for the assignment." Notice of May 4, 1990 (1114 O.G. 77-78).

7. Fee Payment Being Made At This Time

☒ Enclosed

☒ basic filing fee \$ 1,522.00

8. Method of Payment of Fees

☒ enclosed is a check in the amount of \$ 1,522.00

☐ charge Account No. 20-0531 in the amount of \$ -----
A duplicate of this request is attached.

9. Authorization To Charge Additional Fees

☒ The Commissioner is hereby authorized to charge any deficiencies in fees to Account No. 20-0531.

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465310" 957/25880

☒ Address all future communications to:

Patent Administrator
Testa, Hurwitz & Thibeault, LLP
High Street Tower
125 High Street
Boston, MA 02110

Dated: September 25, 1997

Reg. No. 36,989

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